IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA)				
	Plaintiff,) 8:06CR08)		
	vs.) DETENTION ORDER		
CARLTON IVORY,				
	Defendant.	}		
A.	Order For Detention After waiving a detention hearing pursuant Act on January 30, 2006, the Court order pursuant to 18 U.S.C. § 3142(e) and (i).	nt to 18 U.S.C. § 3142(f) of the Bail Reform ders the above-named defendant detained		
B.	conditions will reasonably assure the X By clear and convincing evidence the X			
C.	Services Report, and includes the followin X (1) Nature and circumstances of to X (a) The crime: the posses grams of "crack" coca 841(a)(1) carries a min and a maximum of fort intent to distribute less violation of 21 U.S.C. Step twenty years imprison (b) The offense is a crime (c) The offense involves a	the offense charged: sion with intent to distribute in excess of 5 mine (Count I) in violation of 21 U.S.C. § simum sentence of five years imprisonment by years imprisonment; the possession with sentence of cocaine (Count II) in § 841(a)(1) carries a maximum sentence of ment. of violence.		
	may affect when The defendant X The defendant X The defendant The defendant The defendant ties. Past conduct of The defendant T	appears to have a mental condition which ether the defendant will appear. Thas no family ties in the area. Thas no steady employment. Thas no substantial financial resources. This not a long time resident of the community. The does not have any significant community. The defendant: Thas a history relating to drug abuse. Thas a history relating to alcohol abuse. Thas a significant prior criminal record. Thas a prior record of failure to appear at		

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	(b)	At the time of the current arrest, the defendant was on: Probation Parole
	()	Release pending trial, sentence, appeal or completion of sentence.
	(C)	Other Factors: The defendant is an illegal alien and is subject to deportation.
		The defendant is a legal alien and will be subject to deportation if convicted.
		The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:
X	releas includ He ha	nature and seriousness of the danger posed by the defendant's se are as follows: The defendant has a substantial criminal history to de crimes of violence. He has used aliases and false identification. as a history of noncompliance with court orders. The defendant has outstanding warrants for his arrest from three separate jurisdictions.
<u>X</u>	In det on the	ttable Presumptions ermining that the defendant should be detained, the Court also relied following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e) the Court finds the defendant has not rebutted:
	X (a)	That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
	X (b)	That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community because the Court finds that there is probable cause to believe: X (1) That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more. (2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device)

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- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: January 30, 2006. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge